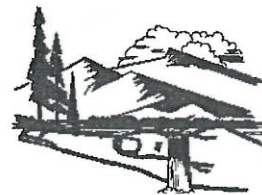




Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

John Corra, Director

August 22, 2012
Certified #7011 2970 0000 5257 1915
Return Receipt Requested

Mr. Mike Achacoso
Refinery Manager
Sinclair Oil Corporation (40.025)
P O Box 277
Sinclair, WY 82334

RE: **Issuance of Notice of Violation (NOV)**

Dear Mr. Achacoso:

Enclosed is a Notice of Violation (NOV) issued to your facility for violation(s) of the Wyoming Hazardous Waste Rules and Regulations (HWRR), and the facilities hazardous waste permit. Specifically, the NOV has been issued for the following violation(s):

On June 11, 2007, Sinclair Wyoming Refining Company (SWRC), formerly Sinclair Oil Corporation (SOC), was issued a hazardous waste renewal permit for the Aggressive Biological Treatment Unit (ABTU).

On April 23, 2012 to April 25, 2012, Sinclair Wyoming Refining Company (SWRC), experienced an upset in the Alkylation Unit resulting in an acid carryover into the sewer that lowered the pH in the ABTU resulting in a lack of biological activity. Associated with the Alkylation Unit upset, the Saturates Gas Recovery Unit (SGRU) experienced an upset resulting in a gasoline range hydrocarbon carryover into the flare system that was drained to the sewer. The low pH wastewater resulted in a lack of biological activity in the ABTU cells. This problem combined with the elevated benzene concentration from the gasoline range hydrocarbon material, resulted in a benzene concentration of 1.3mg/L at the ABTU effluent on April 23, 2012. The benzene levels did not return below the regulated level of 0.5 mg/L until April 25, 2012.

Permit Condition Part IV(B).D.7. (2007 Permit) of the permit states, "The Permittee shall maintain the ABTU such that the concentration of benzene in the effluent remains below 0.5 mg/L and the Permittee shall verify this benzene level on a weekly basis." Permit Condition I.D.6. states, "The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit."



5729

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-5145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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Mr. Achacoso, 8/22/2012

Therefore, on April 21 to April 25, 2012, SWRC was in violation of Permit Condition, Part IV(B).(D).7, for exceeding the ABTU effluent limitation of 0.5 mg/L benzene and Permit Condition, Part I.D.6.

To properly address this violation, SWRC must put in place measures to prevent this error from recurring, including the capability to pump off light ends from the flare knock out system. For the continued non-compliance of the effluent standard, the department has determined to seek a penalty.

If you have any questions regarding this letter, the attached NOV, and/or would like to discuss settlement of the penalty, please feel free to contact Charles Plymale at (307) 332-6951 or Bob Breuer at (307) 473-3454.

Sincerely,

A handwritten signature in black ink, appearing to read 'CA', followed by a horizontal line.

Carl Anderson, Ph.D.
Administrator
Solid and Hazardous Waste Division

Attachment: NOV

C: Charlie Plymale, WDEQ Lander
Bob Breuer, I&C Program Manager, WDEQ Casper
Matt Bucholz, WDEQ Cheyenne
Tim Link, WDEQ Cheyenne
Cheyenne File

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:

SINCLAIR WYOMING REFINING CO. (40.025))
100 E. Lincolnway)
Sinclair, WY 82334) DOCKET NO.5031-12

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. On June 11, 2007, Sinclair Wyoming Refining Company (SWRC), formerly Sinclair Oil Corporation (SOC), was issued a hazardous waste renewal permit for the Aggressive Biological Treatment Unit (ABTU).
2. On April 23, 2012 to April 25, 2012, Sinclair Wyoming Refining Company (SWRC), experienced an upset in the Alkylation Unit resulting in an acid carryover into the sewer that lowered the pH in the ABTU. This resulted in a lack of biological activity in the ABTU. Associated with the Alkylation Unit upset, the Saturates Gas Recovery Unit (SGRU) experienced an upset resulting in a gasoline range hydrocarbon carryover into the flare system that was drained to the sewer. The low pH wastewater resulted in a lack of biological activity in the ABTU cells. This action combined with the elevated benzene concentration from the gasoline range hydrocarbon material, resulted in a benzene concentration of 1.3mg/L at the ABTU effluent on April 23, 2012. This effluent level did not return below the regulated level of 0.5 mg/L until April 25, 2012.
3. Permit Condition Part IV(B).D.7. (2007 Permit) of the permit states, "The Permittee shall maintain the ABTU such that the concentration of benzene in the effluent remains below 0.5 mg/L and the Permittee shall verify this benzene level on a weekly basis." Permit Condition I.D.6. states, "The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit."

Therefore, on April 23, 2012 to April 25, 2012, SWRC was in violation of Permit Condition, Part IV(B).(D).7, for exceeding the ABTU effluent limitation of 0.5 mg/L benzene and Permit Condition, Part I.D.6.

ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for

each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and

THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 35-11-701(c) which requires that in any case of the failure to correct or remedy an alleged violation the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

Signed this 24th day of August, 2012



Carl Anderson, Ph.D.
Administrator
Solid & Hazardous Waste Division



John V. Corra
Director
Dept. of Environmental Quality